

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Leitner, et al.)

Application No.:)

Filed: Herewith)

For: **METHOD AND DEVICE FOR DETERMINING THE CONTOUR
OF A RECESS IN A PIECE OF MATERIAL**

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (No. EV132074594 US) addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 31, 2003.

By: Carol Prentice

Carol Prentice

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §1.56, Applicants wish to call the attention of the Examiner to the following references:

U.S. PATENTS:

| <u>Patent No.</u> | | <u>Patentee</u> | <u>Date of Issue</u> |
|-------------------|--------|-----------------|----------------------|
| 6,106,464 | /J.B./ | Bass et al. | Aug. 22, 2000 |
| 6,006,126 | /J.B./ | Cosman | Dec. 21, 1999 |

FOREIGN PATENT DOCUMENTS:

| <u>Country</u> | <u>No.</u> | <u>Date of Publication</u> |
|----------------|-------------------|----------------------------|
| Germany | /J.B./ 199 51 502 | Jan 18, 2001 |
| International | /J.B./ 00/56215 | Sep 28, 2000 |

/Joel Brutus/

07/14/2008

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.B./

Information Disclosure Statement
Leitner, et al.
Page 2

| | | | |
|---------------|------------|--------|--------------|
| International | 99/15097 | /J.B./ | Apr 01, 1999 |
| International | 99/38449 | /J.B./ | Aug 05, 1999 |
| Germany | 196 39 615 | /J.B./ | Apr 09, 1998 |

PUBLICATIONS:

Patent Abstracts of Japan, "SURGICAL NAVIGATION APPARATUS",
vol. 2002, no. 02, April 2, 2002, publication no. 2001 293006,
October 23, 2001. /J.B./

The references listed above were cited by the International
Examiner in the Search Report (copy enclosed) of Applicants'
counterpart international patent application no. PCT/EP02/00793
(MPEP §2001.06(a)). /J.B./

/J.B./ DE 196 39 615 was also cited by the German examiner in
Applicants' corresponding German patent application.

/J.B./ DE 196 39 615 has two English language counterparts, namely
U.S. Patent Nos. 5,769,861 and 6,351,659 submitted herewith.

OTHER PUBLICATIONS:

Patent Abstracts of Japan, "METHOD AND APPARATUS FOR MEASUREMENT
OF INSIDE SHAPE OF UNDERGROUND HOLE", Publication No. 06341831,
December 13, 1994. /J.B./

The reference listed above was cited by the German Examiner
in Applicants' corresponding German patent application 101 05
822.5 (MPEP §2001.06(a)).

/Joel Brutus/

07/14/2008

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.B./

Information Disclosure Statement
Leitner, et al.
Page 3

OTHER U.S. PATENTS:

| <u>Patent No.</u> | | <u>Patentee</u> | <u>Date of Issue</u> |
|-------------------|--------|-----------------|----------------------|
| 5,769,861 | /J.B./ | Vilsmeier | Jun 23, 1998 |
| 6,351,659 | /J.B./ | Vilsmeier | Feb 26, 2002 |

Copies of the above-listed references are enclosed, together with a completed form PTO-1449.

Consideration of these references by the Examiner is respectfully requested.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



Barry R. Lipsitz
Attorney for Applicant(s)
Registration No. 28,637
755 Main Street
Monroe, CT 06468
(203) 459-0200

Date: July 31, 2003
ATTORNEY DOCKET NO.: HOE-768

/Joel Brutus/

07/14/2008

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.B./

| FORM PTO-1449 | | | | ATTY. DOCKET NO.: HOE-768 | | SERIAL NO.: | |
|--|----|---|-------------|--------------------------------------|--------------|-----------------------|-------------------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | APPLICANT(S): Leitner, et al. | | | |
| | | | | FILING DATE: Herewith | | GROUP: | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | FILING DATE |
| /J.B./ | AA | 6,106,464 | 08/22/2000 | Bass et al. | | | |
| ↓ | AB | 6,006,126 | 12/21/1999 | Cosman | | | |
| | AC | 5,769,861 | 06/23/1998 | Vilsmeier | | | |
| | AD | 6,351,659 | 02/26/2002 | Vilsmeier | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB- CLASS | TRANS- LATION YES NO |
| /J.B./ | AE | 199 51 502 | 01/18/2001 | Germany | | | |
| ↓ | AF | 00/56215 | 09/28/2000 | International | | | |
| | AG | 99/15097 | 04/01/1999 | International | | | |
| | AH | 99/38449 | 08/05/1999 | International | | | |
| | AI | 196 39 615 | 04/ 09/1998 | Germany | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) | | | | | | | |
| /J.B./ | AJ | Patent Abstracts of Japan, "SURGICAL NAVIGATION APPARATUS", vol. 2002, no. 02, April 2, 2002, publication no. 2001 293006, October 23, 2001. | | | | | |
| /J.B./ | AK | Patent Abstracts of Japan, "METHOD AND APPARATUS FOR MEASUREMENT OF INSIDE SHAPE OF UNDERGROUND HOLE", Publication No. 06341831, December 13, 1994. | | | | | |
| | | | | | | | |
| | | | | | | | |
| EXAMINER /Joel Brutus/ | | | | DATE CONSIDERED 07/14/2008 | | | |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.B./